

Fwd: Fw: Confidential

A.J. Delgado <[REDACTED]>

Sat 11/12/2022 7:37 AM

To: Daniel Kirschbaum <dsk@dereksmithlaw.com>

----- Forwarded message -----

From: **Andrew G. Celli** <acelli@ecbalaw.com>

Date: Fri, May 19, 2017 at 7:03 PM

Subject: Fw: Confidential

To: Jonathan S. Abady <jabady@ecbalaw.com>, Elizabeth <[\[REDACTED\]@ecbalaw.com](mailto:[REDACTED]@ecbalaw.com)>, Alanna Kaufman <akaufman@ecbalaw.com>, A. J. Delgado <[REDACTED]>

[REDACTED]

Andrew G. Celli, Jr.
Emery Celli Brinckerhoff + Abady LLP
600 Fifth Avenue at Rockefeller Center
New York, NY 10019
212.763.5000

Original Message

From: Marc E. Kasowitz <MKasowitz@kasowitz.com>

Sent: Friday, May 19, 2017 6:45 PM

To: Andrew G. Celli

Cc: Betty Weinberg Ellerin

Subject: Re: Confidential

Andy, I will reach you today. My clients have been occupied. I am waiting for a call that will result in the resolution proposed by Judge Ellerin.

Sent from my iPhone

Marc E. Kasowitz
Kasowitz Benson Torres LLP
1633 Broadway
New York, New York 10019
Tel. (212) 506-1710
Fax. (212) 835-5010
mkasowitz@kasowitz.com

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On May 19, 2017, at 6:18 PM, Andrew G. Celli <acelli@ecbalaw.com><mailto:acelli@ecbalaw.com>> wrote:

Marc --

I have not heard from you today, notwithstanding your pledge to Judge Ellerin and your statement to me at 11:45 am that you were "close to wrapping this up," that you had "just one more call to make," and that you would revert to me today by close of business. The inference I draw is that your clients are unwilling to settle this matter. If that is the case, the courtesy of a call, as promised, would have been in order, but I suppose we will simply have to proceed without one.

-Andy

Andrew G. Celli, Jr.
Emery Celli Brinckerhoff + Abady LLP
600 Fifth Avenue at Rockefeller Center
New York, NY 10019
212.763.5000

Fwd: FW: Confidential

A.J. Delgado <[REDACTED]>

Sat 11/12/2022 7:38 AM

To: Daniel Kirschbaum <dsk@dereksmithlaw.com>

----- Forwarded message -----

From: **Andrew G. Celli** <acelli@ecbalaw.com>

Date: Mon, May 22, 2017 at 12:11 PM

Subject: FW: Conf

To: A.J. Delgado <[REDACTED]>, Jonathan S. Abady <jabady@ecbalaw.com>, Elizabeth Saylor <esaylor@ecbalaw.com>, Kaufman <akaufman@ecbalaw.com>

Andrew G. Celli, Jr.

Emery Celli Brinckerhoff & Abady LLP

600 Fifth Avenue at Rockefeller Center

New York, NY 10020

tel: 212.763.5000

fax: 212.763.5001

email: acelli@ecbalaw.com

From: Andrew G. Celli

Sent: Monday, May 22, 2017 12:07 PM

To: 'Marc E. Kasowitz'

Cc: Betty Weinberg Ellerin

Subject: RE: Confidential

Message received. tx, agc

Andrew G. Celli, Jr.

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Emery Celli Brinckerhoff & Abady LLP

600 Fifth Avenue at Rockefeller Center

New York, NY 10020

tel: 212.763.5000

fax: 212.763.5001

email: acelli@ecbalaw.com

From: Marc E. Kasowitz [<mailto:MKasowitz@kasowitz.com>]

Sent: Monday, May 22, 2017 11:42 AM

To: Andrew G. Celli

Cc: Betty Weinberg Ellerin

Subject: RE: Confidential

Andy, the person I need to speak to has just returned from Saudi Arabia and I will speak to him this afternoon. I apologize for the delay. Best. Marc.

Marc E. Kasowitz

Kasowitz Benson Torres LLP

1633 Broadway

New York, New York 10019

Tel. (212) 506-1710

Fax. (212) 835-5010

mkasowitz@kasowitz.com

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From: Andrew G. Celli [<mailto:acelli@ecbalaw.com>]

Sent: Friday, May 19, 2017 6:18 PM

To: Marc E. Kasowitz <MKasowitz@kasowitz.com>

Cc: Betty Weinberg Ellerin <betty.ellerin@alston.com>

Subject: Confidential

Marc --

I have not heard from you today, notwithstanding your pledge to Judge Ellerin and your statement to me at 11:45 am that you were "close to wrapping this up," that you had "just one more call to make," and that you would revert to me today by close of business. The inference I draw is that your clients are unwilling to settle this matter. If that is the case, the courtesy of a call, as promised, would have been in order, but I suppose we will simply have to proceed without one.

-Andy

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Emery Celli Brinckerhoff + Abady LLP
600 Fifth Avenue at Rockefeller Center
New York, NY 10019
212.763.5000

Fwd: FW: Confidential

A.J. Delgado <[REDACTED]>

Sat 11/12/2022 7:44 AM

To: Daniel Kirschbaum <dsk@dereksmithlaw.com>

----- Forwarded message -----

-----Original Message-----

From: Andrew G. Celli

Sent: Wednesday, May 31, 2017 4:18 PM

To: 'Marc E. Kasowitz'

Subject: RE: Confidential

Marc --

I am glad we talked yesterday, and I fully credit that your representations about the resolution are bona fide. I know you to be a man of your word, and I know that when you tell me, as you have several times, that this is getting this done at the judge's number, that's what you are going to do. That said, the time has come to close this before things start to happen that cannot be undone. I have a client to whom I have made certain commitments, and she is in a place in her life where she needs to move forward one way or the other. We have been incredibly patient and we will wait another day as yet a further courtesy to you. But the time has come for this to happen in the way you've promised. Let's confirm our clients' agreement to the judge's proposal by email, so we can quickly focus on getting a written agreement done, signed and dusted.

best,
Andy

Andrew G. Celli, Jr.

Emery Celli Brinckerhoff & Abady LLP

600 Fifth Avenue at Rockefeller Center

New York, NY 10020

tel: 212.763.5000

fax: 212.763.5001

email: acelli@ecbalaw.com

-----Original Message-----

From: Marc E. Kasowitz [mailto:MKasowitz@kasowitz.com]

Sent: Wednesday, May 31, 2017 2:50 PM

To: Andrew G. Celli

Subject: Re: Confidential

Andy, I am not trying to drag this out, and our conversation yesterday was bona fide. Please give me until 5 pm Thurs

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Sent from my iPhone

Marc E. Kasowitz
Kasowitz Benson Torres LLP
1633 Broadway
New York, New York 10019
Tel. (212) 506-1710
Fax. (212) 835-5010
mkasowitz@kasowitz.com

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On May 30, 2017, at 10:12 AM, Andrew G. Celli <acelli@ecbalaw.com<mailto:acelli@ecbalaw.com>> > wrote:

Marc—

Based on our discussion this morning, I am going to tell my client that we can expect to hear from you, on behalf of your clients, by 5pm today. Thanks.

best,
Andy

Andrew G. Celli, Jr.
Emery Celli Brinckerhoff & Abady LLP
600 Fifth Avenue at Rockefeller Center
New York, NY 10020
tel: 212.763.5000
fax: 212.763.5001
email: acelli@ecbalaw.com<mailto:acelli@ecbalaw.com>

Fwd: Fw:

A.J. Delgado <[REDACTED]>

Sat 11/12/2022 7:40 AM

To: Daniel Kirschbaum <dsk@dereksmithlaw.com>

----- Forwarded message -----

From: **Andrew G. Celli** <acelli@ecbalaw.com>

Date: Wed, May 31, 2017 at 7:39 AM

Subject: Fw:

To: A. J. Delgado <[REDACTED]>, Jonathan S. Abady <jabady@ecbalaw.com>, Elizabeth Saylor <esaylor@ecbalaw.com>

[REDACTED]

Andrew G. Celli, Jr.
Emery Celli Brinckerhoff + Abady LLP
600 Fifth Avenue at Rockefeller Center
New York, NY 10019
212.763.5000

Original Message

From: Marc E. Kasowitz <MKasowitz@kasowitz.com>

Sent: Wednesday, May 31, 2017 7:36 AM

To: Andrew G. Celli

Subject:

Andy, I am sorry for not calling yesterday. Had an emergency. I am back in DC today and will call by noon

Sent from my iPhone

Marc E. Kasowitz
Kasowitz Benson Torres LLP
1633 Broadway
New York, New York 10019
Tel. (212) 506-1710
Fax. (212) 835-5010
mkasowitz@kasowitz.com

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Fwd: P+C

A.J. Delgado <[REDACTED]>

Sat 11/12/2022 7:46 AM

To: Daniel Kirschbaum <dsk@dereksmithlaw.com>

[REDACTED]

----- Forwarded message -----

Original Message

From: Marc E. Kasowitz <MKasowitz@kasowitz.com>

Sent: Friday, June 2, 2017 5:40 PM

To: Andrew G. Celli

Subject:

We can do the deal this weekend. Will call tomorrow

Sent from my iPhone

Marc E. Kasowitz

Kasowitz Benson Torres LLP

1633 Broadway

New York, New York 10019

Tel. (212) 506-1710

Fax. (212) 835-5010

mkasowitz@kasowitz.com

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Fwd: Fw: p+c

A.J. Delgado <[REDACTED]>

Sat 11/12/2022 7:46 AM

To: Daniel Kirschbaum <dsk@dereksmithlaw.com>

----- Forwarded message -----

From: **Andrew G. Celli** <acelli@ecbalaw.com>

Date: Sun, Jun 4, 2017 at 6:44 PM

Subject: Fw: p+c

To: A. J. Delgado <[REDACTED]>, Jonathan S. Abady <jabady@ecbalaw.com>, Elizabeth Saylor <esaylor@ecbalaw.com>, Jeffrey M. Aufman <asmall@ecbalaw.com>

Andrew G. Celli, Jr.
Emery Celli Brinckerhoff + Abady LLP
600 Fifth Avenue at Rockefeller Center
New York, NY 10019
212.763.5000

Original Message

From: Marc E. Kasowitz <MKasowitz@kasowitz.com>

Sent: Sunday, June 4, 2017 6:35 PM

To: Andrew G. Celli

Subject:

Andy, call me so that we can exchange emails reflecting our agreement in principle and then reduce to a formal writing.

Sent from my iPhone

Marc E. Kasowitz
Kasowitz Benson Torres LLP
1633 Broadway
New York, New York 10019
Tel. (212) 506-1710
Fax. (212) 835-5010
mkasowitz@kasowitz.com

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Fwd: Fw: FRE 408/CPLR 4547

A.J. Delgado <[REDACTED]>

Sat 11/12/2022 7:47 AM

To: Daniel Kirschbaum <dsk@dereksmithlaw.com>

[REDACTED]

----- Forwarded message -----

Original Message

From: Marc E. Kasowitz <MKasowitz@kasowitz.com>

Sent: Monday, June 5, 2017 11:52 AM

To: Andrew G. Celli

Cc: Albert Shemmy Mishaan; Jessica T. Rosenberg; Paul J. Burgo

Subject: Re: FRE 408/CPLR 4547

Confirmed as to amount, need to work out payment and other terms and reduce to a formal signed writing. Please work with Shemmy, Jessica and Paul.

Sent from my iPhone

Marc E. Kasowitz
Kasowitz Benson Torres LLP
1633 Broadway
New York, New York 10019
Tel. (212) 506-1710
Fax. (212) 835-5010
mkasowitz@kasowitz.com

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On Jun 5, 2017, at 8:57 AM, Andrew G. Celli <acelli@ecbalaw.com<mailto:acelli@ecbalaw.com>>

wrote:

Marc --

Please confirm by immediate return email that your clients agree to settle Ms. Delgado's claims for [REDACTED], as you told me by phone last night. Once you have confirmed by email, we should, as we discussed, move to documentation of the settlement. Our firm will draft the documents; please let me know who, on your end, will be handling this.

Thanks,

Andy
Andrew G. Celli, Jr.
Emery Celli Brinckerhoff + Abady LLP
600 Fifth Avenue at Rockefeller Center
New York, NY 10019
212.763.5000

Fwd: FW: a promise of a response from Burgo below...

A.J. Delgado <[REDACTED]>

Sat 11/12/2022 8:08 AM

To: Daniel Kirschbaum <dsk@dereksmithlaw.com>

----- Forwarded message -----

From: **Elizabeth Saylor** <esaylor@ecbalaw.com>

Date: Fri, Jul 7, 2017 at 3:09 PM

Subject: FW: a promise of a response from Burgo below...

To: A. J. Delgado <[REDACTED]>, Jonathan S. Abady <jabady@ecbalaw.com>, Andrew G. Celli <acelli@ecbalaw.com>, [REDACTED] man <asmall@ecbalaw.com>

From: Paul J. Burgo [mailto:PBurgo@kasowitz.com]

Sent: Friday, July 07, 2017 3:02 PM

To: Elizabeth Saylor

Subject:

Hi Elizabeth,

In a meeting, but we are going to get you the redline by the end of the day. It might be subject to final sign off, but I'll have authority to send at least by the end of the day.

Paul J. Burgo
Kasowitz Benson Torres LLP
1633 Broadway
New York, New York 10019
Tel. (212) 506-1865
Fax. (212) 835-5265
PBurgo@Kasowitz.com

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Fwd: please send agreement now

A.J. Delgado <[REDACTED]>

Sat 11/12/2022 8:02 AM

To: Daniel Kirschbaum <dsk@dereksmithlaw.com>

----- Forwarded message -----

From: **Elizabeth Saylor** <esaylor@ecbalaw.com>

Date: Fri, Jul 7, 2017 at 5:38 PM

Subject: Fwd: please

To: A. J. Delgado <ajdelgado@ecbalaw.com>

Begin forwarded message:

From: "Paul J. Burgo" <PBurgo@kasowitz.com>

Date: July 7, 2017 at 5:30:02 PM EDT

To: Elizabeth Saylor <esaylor@ecbalaw.com>

Cc: "Jessica T. Rosenberg" <JRosenberg@kasowitz.com>, Alanna Kaufman <asmall@ecbalaw.com>, "Andrew G. Celli" <acelli@ecbalaw.com>, "Jonathan S. Abady" <jabady@ecbalaw.com>, "Marc E. Kasowitz" <MKasowitz@kasowitz.com>, Albert Shemmy Mishaan <AMishaan@kasowitz.com>

Subject: RE: please send agreement now

Elizabeth,

It will probably be easiest if you circulate any edits you have in redline in the first instance so it can be socialized among the necessary parties. We will send as soon as we can.

Best,

Paul

From: Elizabeth Saylor [<mailto:esaylor@ecbalaw.com>]

Sent: Friday, July 7, 2017 5:02 PM

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P000163

To: Paul J. Burgo <PBurgo@kasowitz.com>
Cc: Jessica T. Rosenberg <JRosenberg@kasowitz.com>; Alanna Kaufman
<asmall@ecbalaw.com>; Andrew G. Celli <acelli@ecbalaw.com>; Jonathan S. Abady
<jabady@ecbalaw.com>
Subject: RE: please send agreement now

Please get it to me ASAP and copy my colleagues since I have to leave now to pick up my kids. Can we set a time to discuss the edits tonight? Let me know what works for you. The earlier the better in case we need to go back and forth a number of times.

From: Paul J. Burgo [<mailto:PBurgo@kasowitz.com>]
Sent: Friday, July 07, 2017 4:56 PM
To: Elizabeth Saylor
Cc: Jessica T. Rosenberg
Subject: RE: please send agreement now

We are working on it, but likely won't be able to get you the redline by 5. I have a filing today so am copying Jessica who's also assisting me with this.

From: Elizabeth Saylor [<mailto:esaylor@ecbalaw.com>]
Sent: Friday, July 7, 2017 4:42 PM
To: Paul J. Burgo <PBurgo@kasowitz.com>
Subject: RE: please send agreement now
Importance: High

****External Email****

Paul-

I have to leave at 5 pm today, so please send the redline now so that I can go over it with my client before leaving. We need to finalize this today, and I much prefer to go over the initial draft while still in the office. We can then discuss any concerns with my edits this evening when I am home. As you know, my cell is 718-288-2805. Thanks.

Elizabeth

From: Paul J. Burgo [<mailto:PBurgo@kasowitz.com>]
Sent: Friday, July 07, 2017 3:02 PM
To: Elizabeth Saylor
Subject:

Hi Elizabeth,

In a meeting, but we are going to get you the redline by the end of the day. It might be subject to final sign off, but I'll have authority to send at least by the end of the day.

Paul J. Burgo
Kasowitz Benson Torres LLP
1633 Broadway
New York, New York 10019
Tel. (212) 506-1865
Fax. (212) 835-5265
PBurgo@Kasowitz.com

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